MINUTES OF THE PROCEEDINGS

REGULAR MEETING

OF THE

RETIREMENT BOARD OF THE

POLICEMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO

HELD

THURSDAY – AUGUST 29, 2019

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago (the "Fund") was held 9:00 a.m. August 29, 2019 at the office of the Fund, 221 North LaSalle Street, Suite 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Deposition Solution LLC Court Reporters and are made a part of the record.

<u>PRESENT</u>: Trustees: Bennettt, Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (7)

ABSENT: Conyears-Ervin (1)
PRESIDING: President Beyna

OTHERS PRESENT:

Ms. Erin Keane, Executive Director, Mr. Kenneth Kaczmarz, Interim Executive Director, Ms. Caroline Vullmahn, Comptroller, Mr. David Kugler, Board Counsel, Mr. Justin Kugler, Legal Counsel, Dr. Peter Orris, Board Physician and Staff Members Mr. Robert Crawford, Ms. Kay Hylton, Ms. Kris Matalik, Ms. Gladys Bernal and Mr. Ivan Rogic.

Representatives from Trustees' staff; Mr. Martin Johnson, Ms. Kasandra Negrete.

PUBLIC IN ATTENDANCE

Ms. Rosemarie Giambalvo, Mr. Gary Oprondek, Mr. Carlos Saladino, FOP Representative, Ms. Bonnie McKeone from the City Bureau, and Sriya Bhlmi of UIC health.

President Beyna called the meeting to order and recognized Annuitant member Rose Marie Giambalvo who had expressed interest in addressing the Board. Ms. Giambalvo indicated that wished to defer her comments until all trustees were present.

The first order of business was the review of the Minutes of the Regular Board meeting held July 25, 2019.

It was moved by Trustee Wodnicki, seconded by Trustee Wright that the Board approve the Minutes of July 25, 2019, as submitted.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

The next order of business was the review of the Minutes of the Closed Sessions, 1 through 4 of July 25, 2019

It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board approve the Minutes of the Closed Sessions held July 25, 2019.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

July 25, 2019

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The next order of business was the review and adoption of Board order(s) concerning Disability applicant Patrick Kelly as submitted by the Board's counsel.

A motion was then made by Trustee Hamburger, seconded by Trustee Wodnicki to go into Executive Session under section 2 (c) 11.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

At the conclusion of the executive session a motion was made by Trustee Wright, seconded by Trustee Hamburger to come out of executive session.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board deny duty disability benefits to Officer Patrick Kelly.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

A motion was then made by Trustee Wright, seconded by Trustee Lappe to grant Ordinary Disability benefits to Officer Patrick Kelly based on the testimony of the doctors.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

The Board then reviewed the status of the Fund's Cash Flow. Fund Comptroller, Caroline Vullmahn distributed and reviewed the monthly Cash Flow worksheet for the Board members present. Ms. Vullmahn's monthly report indicates that the Fund will have approximately \$273.3 million in cash on hand at the end of August 2019.

President Beyna turned the meeting over to Recording Secretary Wright for the review and approval of Benefit Applications as appearing in the August 2019 Docket.

July 25, 2019

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PAGE NO. REFERENCE

1 - 5 Incurred Expenses for the Month of August 2019.

A motion was made by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Incurred Expenses as detailed on pages 1 through 5.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

6 - 8 Refunds of Contributions; Withdrawal of Service, Widow's Annuity

Accumulations and Exempt Rank Refunds

A motion was made by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Refunds as detailed on pages 6 through 8.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright, (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

9 - 10 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board approve payments to heirs of deceased annuitants as detailed on pages 9 through 10.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

11 Refund of Automatic Increase Reserve (less than 20 years)

A motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the refund of Automatic Increase reserve as indicated on Page 11.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

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<u>PAGE NO.</u> <u>REFERENCE</u>

12 - 16 Annuities [Summary pg. 17]

A motion was made by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the new Annuities as detailed on pages 12 through 16.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

Trustee Wright indicated that there are currently 314 new retirees in 2019 compared to 339 in all of 2018 indicating that the Fund is ahead of last year's pace.

Annuities to Widows [Summary pg. 19]

A motion was made by Trustee Beyna seconded by Trustee Lappe that the Board approve the Annuities to Widows as detailed on page 18.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

20 Ordinary Disability Claim – New

a) Gomez-Sanchez, Brenda

A motion was made by Trustee Lappe, seconded by Trustee Beyna, to grant Ordinary Disability benefits based on medical reports and the member's application.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

b) Urban, Priscilla

A motion was made by Trustee Lappe, seconded by Trustee Hamburger, to grant Ordinary Disability benefits based on medical reports and the member's application.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright, (5)

Against: None

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c.) Zulfic, Alen

A motion was made by Trustee Lappe, seconded by Trustee Wodnicki, to grant Ordinary Disability benefits based on medical reports and the member's application.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

21 Duty Disability Claims (New)

d) Korwin, Monica

Upon testimony provided by the Fund's physician, Dr. Peter Orris

A motion was made by Trustee Hamburger, seconded by Trustee Lappe, to grant the officer, subject to a full evidentiary hearing, an Ordinary Disability benefit without prejudice with the understanding that the Board reserves the right prior to such to revisit and terminate the benefit if it is deemed warranted.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

e) Swistowicz, Craig H.

Upon testimony provided by the Fund's Physician, Dr. Peter Orris

A motion was made by Trustee Hamburger, seconded by Trustee Beyna, to grant the officer, subject to a full evidentiary hearing, an Ordinary Disability benefit without prejudice with the understanding that the Board reserves the right prior to such to revisit and terminate the benefit if it is deemed warranted.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

22 - 25 Payment of Death Benefits (Summary pg. 26)

A motion was made by Trustee Beyna, seconded by Trustee Lappe to approve payment of the Death Benefits indicated.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

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<u>PAGE NO.</u> <u>REFERENCE</u>

27 REQUESTS FOR PENSION CREDIT FOR MILITARY SERVICE LEAVE OF ABSENCE UNDER USERRA and 5-212.

Documentation verified, a motion was made by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the request to purchase prior military service under 5/212.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

28 REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR COOK COUNTY SERVICE UNDER 5-214 (c)

Documentation verified, a motion was made by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the request to purchase prior Cook County service under 5/214(c) as detailed on page 28 (Rosario cases).

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

29 REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR MILITARY SERVICE UNDER 5-214.3

Documentation verified, a motion was made by Trustee Hamburger, seconded by Trustee Beyna, that the Board approve the request to purchase additional pension credit for prior military service under 5/214.3 as detailed on page 29.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

The docketed items completed, Trustee Wright returned the chair back to Fund President Beyna.

Trustee Beyna advised the Board that the Fund's Independent Actuarial firm of Gabriel Roeder Smith (GRS) is now present and would provide their report on an Actuarial Experience study that they conducted at the Board's direction. Representing GRS and present were Lance Weiss, Alex Rivera and Kristen Brundirks.

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The representatives from GRS distributed draft copies of both the detailed study and a summary version for review at today's meeting. Mr. Weiss indicated that they were willing to entertain any questions trustees would have from either and proceeded to discuss the findings of the Study. Trustee Lappe emphasized that these were preliminary findings.

Actuarial Experience studies are typically conducted at 5 year intervals to determine if the economic and demographic assumptions utilized by the Actuaries in the annual valuations of the Fund are valid. As such, Mr. Weiss reviewed a table in the summary report to provide a comparison between the existing and recommended assumptions as a result of the study. The following underlying assumptions and the resulting Actuaries recommendations for change were discussed:

Future Expected Price Inflation: Currently at 2.75. As a result of the study, the actuaries recommend a reduction to 2.25 which impacts upon the anticipated COLA Increases paid to future Tier Two retirees.

Investment Return Assumption: Currently at 7.25%. As a result of their study, the actuaries recommend a reduction to 6.75%.

Salary Increases: Currently at 3.75%. In the absence of a finalized contract and based on known factors and consistent with expected price inflation, the actuaries are recommending 3.5%.

Mortality Assumptions: Mr. Weiss indicated that the Society of Actuaries just developed mortality tables specific to Public Employee sectors and it is the most current applicable to public plans.

Retirement Rates: Mr. Weiss indicated a slight increase in the ages of current retirements at earlier ages and a slight decrease at other ages. Trustee Wodnicki questioned the number of retirements used.

Incidence of Disability: Mr. Weis indicated adjustments in Disability incidence based on actual experience.

At the conclusion of the presentation, Trustee Wright asked for a motion to approve the report and the recommended assumptions. Upon discussion it was determined that the Board would wait for additional trustees to be present for inclusion in the vote to approve the Experience study and the Funding resolution.

Trustee Wright then made a motion, seconded by Trustee Hamburger to go into executive session under section 2 (c) (11) for the purpose of discussing scheduled Disability hearings.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

MINUTES CONTINUED

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Trustees Jennie Bennett and Susie Park entered the meeting during the executive session.

At the conclusion of the executive session a motion was made by Trustee Lappe, seconded by Trustee Hamburger to come out executive session.

ROLL CALL

For: Bennett, Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (7)

Against: None

Absent: Conyears-Ervin (1)

Trustee Wright indicated that two additional Trustees were now present and that there were no further questions concerning the recommendations of the Actuarial Experience Study.

Trustee Wright then made a motion, seconded by Trustee Lappe to approve the recommended assumptions ion the experience study for the purposes of calculating the minimum required statutory

City contribution for Tax Levy year 2021 /Payment year 2022. (as indicated on page A1 of the GRS summary)

ROLL CALL

For: Bennett, Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (7)

Against: None

Absent: Conyears-Ervin (1)

A motion was made by Wright, seconded by Hamburger to go into executive session under section 2 (c) (11) for discussion with GRS regarding the Funding resolution.

ROLL CALL

For: Bennett, Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (7)

Against: None

Absent: Conyears-Ervin (1)

A motion was then made by Trustee Hamburger seconded by Trustee Wright to come out of executive session.

ROLL CALL

For: Bennett, Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (7)

Against: None

Absent: Conyears-Ervin (1)

Out of executive session the Board proceeded to the scheduled Disability status hearings.

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Trustee Bennett left the meeting at this point.

PAGE NO. REFERENCE

30 DUTY DISABILITY CLAIMS

Sadowsky Jr., Daniel V.

Officer **Daniel V. Sadowsky, Jr.** appeared with his counsel, Ralph Licari before the Board for the scheduled hearing of his Duty Disability Claim. After review of the medical records and relevant testimony by the applicant and the Fund Physician, *it was moved by Trustee Lappe, seconded by Trustee Wright to grant Duty Disability Benefits to Officer Sadowsky*.

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

A motion was then made by Trustee Lappe, seconded by trustee Wright to grant the duty award at 75% of salary as provided for in the Pension Act.

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

30 DUTY DISABILITY CLAIMS, Continued **Jackson, Matthew**

Officer **Matthew Jackson** appeared with his counsel, Ralph Licari before the Board for the scheduled hearing of his Duty Disability Claim. After review of the medical records and relevant testimony by the applicant and the Fund Physician, it was moved by Trustee Hamburger, seconded by Trustee Lappe, to grant the officer, subject to a full evidentiary hearing, an Ordinary Disability benefit without prejudice with the understanding that the Board reserves the right prior to such to revisit and terminate the benefit if it is deemed warranted.

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

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31 ORDINARY DISABILITY BENEFIT CLAIM

Manker, Priscilla

Ordinary Disability applicant Priscilla Manker was present before the Board without counsel. After review of the application, relevant testimony and available medical documentation, a motion was made by Trustee Hamburger, seconded by Lappe, for a continuance to the October 31, 2019, meeting to allow Officer Manker opportunity to provide the Board with additional available medical documentation.

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright, (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

32 DISABILITY STATUS REVIEWS

Jackson, Bruce

Duty Disability applicants Matthew Jackson appeared as scheduled and requested a sixty-day continuance to obtain legal counsel. After a brief discussion, it was moved by Trustee Wright, seconded by Trustee Lappe to extend a sixty-day continuance to Duty Disability recipient Bruce Jackson to allow him to obtain counsel,

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

33 DUTY DISABILITY STATUS REVIEWS

Turney, Michelle

Sergeant Michele Turney was present before the Board, unaccompanied by counsel for her Disability Status review After hearing testimony from Ms. Turney and a review of the relevant medical records, it was moved by Trustee Lappe, seconded by Trustee Wright that the Board recess into executive session.

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

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It was moved by Trustee Wright, seconded by Trustee Park that the Board exit executive session. ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

A motion was made by Trustee Wright, seconded by Trustee Hamburger to leave Sergeant Turney's benefits in place and provide a listing of qualified physicians for her to undergo an IME to provide the Board with additional information necessary to make a decision in the matter.

ROLL CALL

For: Beyna, Hamburger, Lappe, Park, Wodnicki, Wright (6)

Against: None

Absent: Bennett, Conyears-Ervin (2)

Trustee Park left the proceedings.

DUTY DISABILITY STATUS REVIEWS Foster, Teresa R.

Police Officer Teresa Foster was present before the Board, unaccompanied by counsel for her Disability Status review and requested a continuance to obtain legal counsel.

A motion was made by Trustee Wright, seconded by Lappe, to grant a continuance to the September 26, 2019 meeting to allow Officer Foster opportunity to obtain legal counsel. ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

A motion was made by Trustee Wright, seconded by Trustee Hamburger to go into executive Session under section 2 (c) (11) for the purpose of discussing Physicians Recommendation of Disability Recipients.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

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A motion was made by Trustee Hamburger, seconded by Trustee Wright to come out of Executive session.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

Out of executive session, Trustee Wright advised the Board that he wishes to attend the IPPFA conference in October in Lake Geneva Wisconsin. Trustee Lappe would also attend.

A motion was made by Trustee Hamburger, seconded by Trustee Wright, to allow the trustees to attend this conference.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

A motion was then made by trustee Wright, seconded by trustee Hamburger that the Board direct disability recipient **Rabi Jaber** to complete an FCE

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

A motion was then made by trustee Wright, seconded by trustee Lappe that the Board direct disability recipient **Michael Sandusky** to complete an FCE.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

A motion was made by Trustee Wright seconded by trustee Lappe to allow an additional month of disability benefits for disability recipient Clay Walker, who is completing the process for reinstatement to active duty with the CPD.

ROLL CALL

For: Beyna, Lappe, Wodnicki, Wright (4)

Against: Hamburger (1)

Absent: Bennett, Conyears-Ervin, Park (3)

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The Board allowed attorney Ralph Licari to address an issue concerning his client **Juan A. Ortiz** and a decision in administrative review by Judge Sanjay Taylor concerning the inclusion of duty availability in the calculation of the amount of his duty disability award. Fund attorney Justin Kugler advised attorney Ralph Licari that the Board will be issuing its letter to Mr. Ortiz and that Mr. Licari can and should respond to it as he feels is required.

The Fund's Executive Director, Erin Keane provided the following updates:

- The Fund still has approximately 500 signature letters outstanding after the second letter had been mailed out. Fund staff continues to monitor for responses. A third letter will be forthcoming for the final non-respondents.
- Additionally, 8500 letters concerning the Health care subsidies for calendar years 2017 and 2018 were mailed in accordance with court orders to those members deemed eligible. The Fund will be receiving those and making the court ordered subsidy as appropriate documentation is received. A subsidy letter for calendar year 2019 will be mailed in 2020.
- Director Keane also advised Trustees that the renewal for the Fund's Fiduciary Insurance Policy is expiring at the end of September and that a representative from Alliant Insurance Services will be present in September to advise the Board on the rates going forward.
- The Fund's Legislative Liaison is scheduled to be present at the September meeting to provide an update for Trustees and to answer any questions.
- The Fund has received notice from the Illinois Senate Special Sub-Committee on Pensions that its annual hearings on Minority Investment will be held on Wednesday and Thursday October 23 & 24. Ms. Keane will advise trustees of the final date and time.
- The Fund has also received and reviewed several proposals to redesign the Fund's website.
- Ms. Keane advised that available money in the Fund's Executive search budget could be used for the website. Trustee Hamburger stressed the importance of ADA compliance.

Trustee Hamburger made a motion to allocate necessary Funds from the miscellaneous account for IT Support for the Web-site development, seconded by Trustee Wright.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

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Interim Director Kenneth Kaczmarz distributed a draft copy of a Records Retention Policy along with a current inventory of approximately 360 cartons of Fund records currently housed at the Fund's new Record retention warehouse, Reebie Data Bank. The Fund is working closely with a new representative from the Illinois Records Commission. The project will be completed by the end of September.

A motion was made by Trustee Wright, seconded by Trustee Wodnicki to extend the consulting contract for Interim Director Kaczmarz until the records project is completed.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None

Absent: Bennett, Conyears-Ervin, Park (3)

Trustee Hamburger advised the Board that she has decided to leave her position with the City of Chicago and return to the East Coast either Washington or New York with other family. She wished to express her deepest appreciation to her fellow Trustees and staff. Ms. Hamburger also wished to acknowledge the level of commitment she has witnessed from all of her fellow trustees. Ms. Hamburger expressed that she would miss the relationships she has made on this Board more than anything and thanked her fellow trustees for their friendship.

Trustee Wright said that it was the Fund's loss and that he has enjoyed working with her for the past eight years and appreciated her concerted attendance at most all the meetings ever scheduled.

Trustee Beyna thanked Ms. Hamburger for her service.

All business concluded this day, it was moved by Trustee Wright, seconded by Trustee Lappe that this meeting be Adjourned.

ROLL CALL

For: Beyna, Hamburger, Lappe, Wodnicki, Wright (5)

Against: None